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ON PETITION

In re Application of :
Assmann et al. :
Application No. 10/684,901 :
Filed: October 14, 2003 :
Attorney Docket No. H169 1590.1 :

This is a decision on the renewed petition under 37 CFR 1.181, filed October 13, 2005, to withdraw the holding of abandonment.

The petition is **granted.**

The above-identified application was deemed abandoned for failure to reply in a timely manner to the non-final Office action mailed June 15, 2004, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application was deemed to be abandoned as of July 16, 2004. A Notice of Abandonment was mailed on January 25, 2005.

Petitioner contends a reply was timely filed. Petitioner has provided a showing in compliance with 37 CFR 1.18(b).

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 3636 will be informed of the instant decision so that the examiner can consider the "Response to Restriction Requirement" in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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Office of Petitions